



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,044	01/17/2001	Thomas Breymeier	END920000118US1(13996)	5682

7590 06/28/2005

Richard L. Catania., Esq.
Scully, Scott, Murphy & Presser
400 Garden City Plaza
Garden City, NY 11530

EXAMINER

NGUYEN, DUSTIN

ART UNIT PAPER NUMBER

2154

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/764,044

Applicant(s)

BREYMEIER ET AL.

Examiner

Dustin Nguyen

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1 – 20 are presented for examination.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/15/2005 has been entered.

Claim Objections

3. Claim 1 is objected to because of the following informalities: Please delete “and” at the end of line 9. Appropriate correction is required.
4. Claim 19 is objected to because of the following informalities: spelling error on line 7, “as decried”. Appropriate correction is required.

Claim Rejections - 35 USC § 102

Art Unit: 2154

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Anuff et al. [US Patent No 6,327,628].

7. As per claim 1, Anuff discloses the invention substantially as claimed including a method of displaying data from a database onto a page [i.e. a portal server for presenting HTML page to user] [Figure 2; Abstract; and col 3, lines 58-col 4, lines 5], comprising the steps of:

providing in said database a view having data therein [i.e. portal page] [Figure 2; and col 7, lines 46-56];

providing in said database a configuration document describing characteristics of said page [i.e. page layout] [Figures 5a and 5b; and col 8, lines 13-49];

providing in said database a form for reading said configuration document, for retrieving data from said view, and for placing said data on said page as described in said configuration document [i.e. display logic for a particular view, mode, box or graphical region] [Figure 4; and col 6, lines 48-col 7, lines 26];

forming a page address from the names of said database and said form [col 3, lines 17-19]; and

selecting said page address to display said data on said page [i.e. entering address] [col 3, lines 19-39]; and

accessing said configuration document to change characteristics of said page [i.e. revise the layout] [col 3, lines 54-57; and col 7, lines 65-col 8, lines 7].

8. As per claim 2, Anuff discloses the step of providing a key for locating the configuration documents [i.e. element for locating configuration directives] [col 6, lines 1-8].

9. As per claim 3, Anuff discloses wherein the page has a URL [col 11, lines 56-58], further comprising the step of accessing said page [col 1, lines 9-12], and wherein the step of providing the key includes the step of providing the key as part of said URL when the page is accessed [col 7, lines 43-64].

10. As per claim 4, Anuff discloses the view includes a multitude of data sets and the configuration document includes a multitude of instruction sets for displaying data on the page [i.e. personalization or customize] [Abstract; and col 54-57], and further including the steps of selecting one of the data sets and one of the instruction sets [i.e. selects news categories or stocks of interest] [col 6, lines 48-58], and displaying the selected data set on said page in accordance with the selected instruction set [i.e. module is displayed within box or region] [col 6, lines 47-58].

Art Unit: 2154

11. As per claim 5, Anuff discloses the data sets and the instruction sets are listed on the form, and the step of selecting one of the data sets and one of the instruction sets includes the step of identifying on the form the selected data sets and the selected instruction sets [Figures 10-12; and col 13, lines 53-65].

12. As per claims 6-10, they are apparatus claimed of claims 1-5, they are rejected for similar reasons as stated above in claims 1-5.

13. As per claims 11-15, they are program product claimed of claims 1-5, they are rejected for similar reasons as stated above in claims 1-5.

14. As per claim 16, Anuff discloses accessing the form, and in response, the form, obtaining contents to display on said page [col 7, lines 5-25].

15. As per claim 17, it is rejected for similar reasons as stated above in claims 2 and 3. Furthermore, Anuff discloses in response to passing said key, locating the configuration document, and displaying configuration data in the configuration document [col 6, lines 1-20].

16. As per claim 18, Anuff discloses the step of changing configuration data in the configuration document via said display of configuration data [i.e. add, remove, or reorder the modules] [col 14, lines 10-15].

Art Unit: 2154

17. As per claim 19, it is rejected for similar reasons as stated above in claims 1-6, 16 and 18. Furthermore, Anuff discloses examining and listing in real time all of said modifications to the configuration document by displaying the modifying in a browser, and directly displaying user defined data from the configuration document [i.e. see the changes immediately] [col 7, lines 26-33]; and embedding additional documents into the configuration document [col 7, lines 14-17].

18. As per claim 20, Anuff discloses the step of dynamically generating HTML data according to setting defined in the configuration document [i.e. dynamically constructs portals] [Abstract; and col 3, lines 40-57]; and wherein the changing step includes the step of adding a column of data with instructions to not include a view navigation [col 8, lines 21-49; and col 14, lines 10-14].

19. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

20. A shortened statutory period for response to this action is set to expire **3 (three) months and 0 (zero) days** from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dustin Nguyen whose telephone number is (571) 272-3971. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Follansbee John can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dustin Nguyen
Examiner
Art Unit 2154



**VIET D. VU
PRIMARY EXAMINER**